



## September 19-20, 2011 -- Guest article -- U.S. violation of Bio Warfare Convention

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#### Concerns Continue to Mount on U.S. Bioweapons Violations

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[Activist Post](#)

The Center for Disease Control has declined to confirm or deny allegations that the United States government is stockpiling biological and/or chemical weapons at Sierra Army Depot, a military base in Northern California.

According to Ron Davenport, who was a biomedical engineer who worked at the medical clinic at Sierra Army depot in the seventies, the base at one time contained a stockpile of nuclear weapons. Davenport states that much of the base is actually underground. This reporter has obtained the testimony of a civilian contractor with a security clearance who has stated that the nukes have been replaced by large vats of liquid.

In an interview this week with Lori Bane, Associate Director for Policy with the CDC Division of Select Agents and Toxins and Von Roebuck, CDC Public Affairs officer, the two also declined to confirm or deny the existence of a number of biological safety labs level 4. The level 4 labs, called BSL-4.s, handle the most dangerous germs known to man, including Ebola, Marburg and Argentine hemorrhagic virus.

The CDC is charged with the responsibility of registering labs which work with “select agents” and toxins. The labs range from Levels 1 to 4, and are designated in terms of their containment capacity. The 3’s and 4’s handle the really nasty bugs, some of which have no known treatment or cure and pose a grave threat to human life.

Bane and Roebuck maintain that there are only six operational BSL-4’s within the borders of the United States. However, a number of other BSL-4’s appear to be now operational. [Biosecurity.org lists eleven](#). The Federation of American Scientists (FAS) has counted thirteen, with some questions as to whether all the labs are operational at this point in time. The University of [North Carolina has counted fifteen](#).

When this reporter did a “roll call,” running down the entire FAS list, Bane began to fidget. Asked if there were an operational BSL-4 in Galveston, Texas, she responded that she “didn’t feel comfortable confirming or denying” if that facility has a registered BSL-4 or not.

She responded in a similar manner to questions as to whether there was an operational BSL-4 in Montana. “Based on what I see on the internet there may be,” she volunteered. The CDC is posited with the responsibility of registering the BSL-4’s and when asked why she was relying on internet searches to determine this, she stated that she was answering in this manner “for security reasons.” However, the [CDC’s own website](#) contains multiple references to the Montana Lab.

The granddaddy of all BSL-4’s was first established at Fort Detrick in 1969. This reporter has found indications of two



Anthony Freda Illustration

other BSL-4's at Detrick. Bane stated she was unable to comment on this. Bane and Roebuck also attempted to convince this reporter that there is only one BSL-4 at the CDC. However, this reporter found indications that a second one may have gone online recently.

Following 911, and particularly following the anthrax letters which came fast on the heels of the Twin Towers attacks, these "biological safety" labs started to proliferate as silently and quickly as mushrooms. At this point in time, Congress is allocating over one billion dollars a year to fund biological defense research. But is it really defensive research going on in these labs?

According to the Sunshine Project, an international non-profit working against the hostile use of biotechnology, the institutional safeguards put into place to ensure that these labs are doing the appropriate kinds of research are almost nonfunctional. Edward Hammond, who was the director of the Sunshine Project, cited instance after instance where the oversight committees for these research facilities had never even convened, let alone reviewed the nature of the research ongoing in these facilities. He also found where the mandated research was not taking place and other, non-authorized research was occurring instead.

The Pentagon did not respond to queries concerning the possibility of BSL-4's on two military bases, Dugway Proving Grounds in Utah and Aberdeen Proving Grounds in Maryland. This reporter located two architectural firms which claimed that they had been involved in building BSL-4s at these bases: <http://www.linkedin.com/in/waynewalters>; <http://www.ninowconsulting.com/>

The potential presence of these weapons at Sierra Army Depot augurs the likelihood that these weapons are being stockpiled on other bases, as well. The Soldier and Biological Chemical Command of the U.S. military lists installations at these facilities:

- Aberdeen Proving Ground
- Anniston Chemical Activity
- Blue Grass Chemical Activity
- Deseret Chemical Depot
- Edgewood Chemical Activity
- Jefferson Proving Ground
- Newport Chemical Depot
- Pine Bluff Chemical Activity
- Pueblo Chemical Depot
- Rocky Mountain Arsenal
- Umatilla Chemical Depot
- Chem/Bio - Rapid Response Team
- Technical Escort Unit
- Natick Soldier Center
- Research, Development and Engineering Center
- Rock Island Site

The apparent "secret" presence of BSL-4's on military bases, coupled with indications of biological and/or chemical stockpiles at Sierra and elsewhere, point to the likelihood that the U.S. is engaged in developing biological warfare agents. This is a violation of the international Biological Weapons Convention. The U.S. signed the convention in 1972 and is a repository of this international arms treaty, along with Russia and Great Britain. Unlike many other arms treaties, which come with a host of inspection capabilities and repercussions for violators, the BWC has no teeth. There is no investigatory capability and no oversight body to assign penalties. In this sense, the BWC is merely window dressing.

It has recently come to light that the United States violated this treaty, at least on paper, through the passage of the Expansion of the Biological Weapons Statute, which is published as Section 817 of the U.S. Patriot Act. This Statute largely reflects the language of the BWC, which restricts the development, production, and stockpiling of biological weapons. However, there is a caveat at the end of 817 which releases the United States government from culpability for violating the restrictions contained in 817, stating: "(c) Whoever knowingly violates this section shall be fined as provided in this title, imprisoned not more than 10 years, or both, but the prohibition contained in this section shall not apply with respect to any duly authorized United States governmental activity." It is through this caveat that the U.S. violated both the letter and spirit of the BWC.

What the U.S. has accomplished, through the passage of The Expansion of the Biological Weapons Statute, is to give itself a "blank check" for the deployment of these weapons. Richard Ebright, a researcher at Rutgers University, disputes the perception that the U.S. is moving towards deployment. "A blank check doesn't mean anything unless you use it," he

declared in an interview last month. Ebright vigorously denies that the U.S. is engaged in bioweapons research. However, the structure of the BWC itself, a convention without an investigatory or enforcement arm, could also be considered a blank check.

The anthrax attacks themselves belie the declarations that the U.S. is not engaging in this research. It has been generally acknowledged that the anthrax contained in the several letters was cooked up in a government lab. The FBI's contention that they "had their man" in Dr. Bruce Ivins seemed to be both confirmed and put into suspension by Ivins' alleged suicide. The mainstream media played down the fact that Ivins, who allegedly overdosed on Tylenol, began to gain strength in the hospital. While waiting for a kidney transplant, he was subsequently removed from life support. And that is how Dr. Ivins died.

Recently, the National Academies released their long awaited report concerning the FBI investigation which nailed Ivins as the anthrax mailer. The National Academies did not endorse the methodology used by the FBI to determine that Ivins was culpable and was unable to support and endorse the Department of Justice's conclusions concerning Ivins' guilt.

The affixing of responsibility to Dr. Ivins, who was a researcher at Ft. Detrick, does have its political perks. The identification of a suspect (conveniently now dead) removes suspicion from anyone else lurking in these labs. It certainly derails any concerns of a larger, government conspiracy concerning the anthrax letters, which were received by liberal Congressmen and members of the media right before the vote on the U.S Patriot Act. Viewed through this lens, nagging doubts may surface, in which a biological warfare agenda emerges into the foreground as a dark and ominous possibility.

"Dual-use" is a term often used to refer to technology which can be used for both peaceful and military aims. Obviously, weapons grade anthrax from a government lab was used against U.S. citizens in the anthrax attacks. Is other research going on now which might result in later attacks? And are these toxins being stockpiled on military bases and if so, why?

And if the U.S. is indeed manufacturing these weapons in "biosafety labs" under the guise of defensive research and stockpiling them at army bases, and if the purpose of the "blank check" being written for Biological and Chemical weapons via Section 817 of the U.S. Patriot Act and buttressed by the impotent BWC is to nullify the possibility of redress for deployment, then the next question becomes: How do we begin to address this spectre?

This reporter has applied for credentials to attend the BWC, which convenes every five years in Geneva. The next meeting is in December of 2011. At this date, the United Nations has not responded to the request for press credentials to attend the meeting.



*Janet Phelan is an investigative journalist whose articles have appeared in the Los Angeles Times, The San Bernardino County Sentinel, The Santa Monica Daily Press, The Long Beach Press Telegram, Oui Magazine and other regional and national publications. Janet specializes in issues pertaining to legal corruption and addresses the heated subject of adult conservatorship, revealing shocking information about the relationships between courts and shady financial consultants. She also covers issues relating to international bioweapons treaties. Her poetry has been published in Gambit, Libera, Applezaba Review, Nausea One and other magazines. Her first book, The Hitler Poems, was published in 2005. She currently resides abroad. You may browse through her articles (and poetry) at [janetphelan.com](http://janetphelan.com)*

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